

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MARCH 29, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 754

**Introduced by Committee on Public Employees, Retirement and
Social Security (Hernandez (Chair), Mullin, Soto, and Torrico)**

February 22, 2007

An act relating to memoranda of understanding.

LEGISLATIVE COUNSEL'S DIGEST

AB 754, as amended, Committee on Public Employees, Retirement and Social Security. Memoranda of understanding: addenda.

Existing law requires the Department of Personnel Administration to provide any side letter, appendix, or other addendum to a properly ratified memorandum of understanding that requires the expenditure of \$250,000 or more related to salary and benefits and that is not already contained in the original memorandum of understanding or the Budget Act to the Joint Legislative Budget Committee. Existing law requires the Joint Legislative Budget Committee, within 30 days after receiving the side letter, appendix, or other addendum, to determine if the addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding and thereby requires legislative action to ratify the addendum.

This bill would approve addenda to memoranda of understanding entered into by the state employer and ~~the state bargaining units~~ *State Bargaining Units 1, 7, and 16* that require the expenditure of funds. The bill would approve provisions of the addenda that require the expenditure of funds. The bill would provide that those provisions shall

not take effect unless the funds are specifically appropriated by the Legislature *or already exist within available appropriations*, and would allow the reopening of negotiations if the Legislature does not approve or fully fund any addendum included in the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that the
2 purpose of this act is to approve addenda to memoranda of
3 understanding entered into by the state employer and the state
4 bargaining units that require the expenditure of funds.

5 SEC. 2. The provisions of the addenda to memoranda of
6 understanding entered into by the state employer and the state
7 bargaining units that require the expenditure of funds are hereby
8 approved for the purposes of Section 3517.63 of the Government
9 Code.

10 SEC. 3. *Addenda to memoranda of understanding entered into*
11 *by the state employer and the following state bargaining units are*
12 *hereby approved:*

13 (a) *State Bargaining Unit 1, addendum dated September 15,*
14 *2006, effective January 1, 2007.*

15 (b) *State Bargaining Unit 7, addendum dated March 8, 2007,*
16 *effective December 18, 2006.*

17 (c) *State Bargaining Unit 16, addendum dated May 3, 2007,*
18 *effective April 1, 2007; and addendum dated May 8, 2007, effective*
19 *April 1, 2007.*

20 ~~SEC. 3.~~

21 SEC. 4. The provisions of the addenda to memoranda of
22 understanding approved by ~~Section 2~~ Sections 2 and 3 of this act
23 and that require the expenditure of funds shall not take effect unless
24 funds for these provisions are specifically appropriated by the
25 Legislature *or already exist within available appropriations*. If
26 the Legislature does not approve or fully fund any addendum
27 included in this act, either party may reopen negotiations on all or
28 part of the addendum.

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